

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

DOCKET NO. 3:09cr-173-FDW

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
(5) MARCO ANTONIO COLCHADO-)
GARCIA,)
)
Defendant.)

**FINAL ORDER AND JUDGMENT
CONFIRMING FORFEITURE**

On October 20, 2010, this Court entered a Preliminary Order of Forfeiture (Nunc Pro Tunc) pursuant to 21 U.S.C. § 853 and Fed. R. Crim. P. 32(d)(2), based upon the Defendant's plea of guilty and admission of illegal acts alleged in Count One in the Bill of Indictment, the facts sets forth in the Presentence Investigation Report and evidence already in the record; and was adjudged guilty of the offenses charged in those counts.


On October 21, 2010 through November 19, 2010, the United States published via www.forfeiture.gov, notice of this forfeiture and of the intent of the government to dispose of the forfeited property according to law, and further notifying all third parties of their right to petition the Court within sixty days from October 21, 2010 for a hearing to adjudicate the validity of any alleged legal interest in the property. It appears from the record that no such petitions have been filed. Based on the record in this case, including the defendant's plea of guilty, the Court finds, in accordance with Rule 32.2(c)(2), that the Defendant had an interest in the property that is forfeitable under the applicable statute.

It is therefore ORDERED:

In accordance with Rule 32.2(c)(2), the Preliminary Order of Forfeiture (Nunc Pro Tunc) is confirmed as final. All right, title, and interest in the following property, whether real, personal, or mixed, has therefore been forfeited to the United States for disposition according to law:

One Mossberg 500A 12 gauge shotgun.

Signed: December 20, 2010



Frank D. Whitney
United States District Judge

